IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FOURTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 14617 of 2004

Between:

1 Afzal Hussain S/o. Late Hazi Khairuddin
Proprietor Price Eggs Traders, R/o. Sri Laxmi Ganapathi Nilayam, Door No. 15-142, M.G.Road, Poranki, Krishna District.
2 Nukala Rama Krishna S/o. Ranga Rao
D.No.78-15-45, Maruti Nilayam, Vuppu Vari Veedhi, Eastern Street, Eluru, W.G.District.

..... PETITIONERS

AND

1 Ministry of Railways, rep. by its Secretary, New Delhi.
2 The South Central Railway, rep. by its General Manager, Rail Nilayam, Secunderabad.
3 The Chief Operational Manager, Rail Nilayam, South Central Railway Secunderabad.
4 The Senior Divisional Operating Manager, Rail Nilayam, S.C. Railway, Secunderabad.
5 The Chief Parcel Supervisor, South Central Railway, Eluru, W.G.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue appropriate Writ, Order or Direction, more particularly one in the nature of Mandamus, to declare the action of the respondent in willfully and intentionally withholding the supply of Rakes in the wake of the orders in the W.P.M.P.No. 18214/2004 in W.P.No.14161/2004 Dt. 11.8.2004 issued by this Hon'ble Court to the Eluru to New Gowhati Traffic and especially when there is huge demand and more essentially when they are bound by the Lqw of the Land to provide them for transport is clearly and ex-facie arbitrry to defeat the orders issued by this Hon'ble Court. in WPMP.No.18214/2004, dictatorial vitiated by Official malafides, a death blow to the procedure established by law in this country and violative of Indian Railways Act and is also violative of Articles 14, 19 (1) (g) of the Constitution of India and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the

circumstances of the case.

Counsel for the Petitioners: MR.P.RADHAKRISHNA

Counsel for the Respondents: MR.GOURI SHANKAR SANGHI

MR. A. KRISHNAM RAJU

The Court made the following ORDER:

The learned counsel for the petitioners seeks permission of this Court to withdraw the writ petition.

Permission is granted. The writ petition is accordingly dismissed as withdrawn. No costs.

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A.Gopal Reddy, J

Date: 24.08.2004

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To

1 The Secretary, Ministry of Railways, New Delhi.
2 The General Manager, South Central Railway,
Rail Nilayam, Secunderabad.
3 The Chief Operational Manager, Rail Nilayam, South Central
Railway Secunderabad.
4 The Senior Divisional Operating Manager, Rail Nilayam,
S.C. Railway, Secunderabad.
5 The Chief Parcel Supervisor, South Central Railway,
Eluru, W.G.District.

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